

LEGISLATIVE BILL 610

Approved by the Governor May 16, 2007

Introduced by Legislative Performance Audit Committee: Schimek, 27,
Chairperson; Engel, 17; Flood, 19; Heidemann, 1; McDonald, 41;
Preister, 5

FOR AN ACT relating to public health and welfare; to provide documentation and recordkeeping requirements for the Department of Health and Human Services regarding the treatment, transfer, and discharge of sex offenders.

Be it enacted by the people of the State of Nebraska,

Section 1. (1) The personnel of the Department of Health and Human Services who work with sex offenders shall develop, maintain, and adhere to written policies or administrative rules and regulations governing the transfer and discharge of sex offenders treated in a program of the department. At a minimum, the policies or rules and regulations shall contain:

(a) Specific requirements regarding treatment that sex offenders are required to meet in order to be transferred from one sex offender treatment unit to another or to be discharged from treatment; and

(b) A list of the personnel of the department who are required to review and document their opinions regarding the treatment progress of each sex offender prior to his or her transfer or discharge.

(2) The department shall maintain, along with each sex offender's permanent medical records, complete treatment records for sex offenders treated in a program of the department, including documentation of the reason behind transfer and discharge decisions. At a minimum, each sex offender's records shall contain:

(a) Detailed documentation that the sex offender has or has not met the requirements for transfer or discharge; and

(b) Signed comments from all personnel of the department required to review the sex offender's treatment progress prior to his or her transfer or discharge.